



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

NORTHERN REGIONAL OFFICE
13901 Crown Court, Woodbridge, Virginia 22193
(703) 583-3800 FAX (804) 698-4178
www.deq.virginia.gov

Travis A. Voyles
Acting Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director
(804) 698-4020

Thomas A. Faha
Regional Director

**VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY
ENFORCEMENT ACTION – AMENDMENT TO ORDER BY
CONSENT
ISSUED TO
Northern Virginia Baptist Center
FOR
Northern Virginia Baptist Center
Unpermitted Activity
Virginia Water Protection Program
Non-Permit Tracking No. 19-000758**

SECTION A: Purpose

This is an Amendment of an Order by Consent (Amendment) issued under the authority of Va. Code §§ 62.1-44.15, between the Virginia Department of Environmental Quality (Department) and the Northern Virginia Baptist Center (NVBC), regarding the property located at 14019 Glenkirk Road, in Gainesville, Prince William County, Virginia, owned by NVBC (Site), for the purpose of revising certain provisions of the Order by Consent (Order) issued to NVBC on October 21, 2021.

SECTION B: Basis for Amendment

1. The Department entered into the Order with NVBC effective October 21, 2021, for unauthorized impacts to State Waters in violation of Va. Code § 62.1-44.15:20 and the Regulations at 9 VAC 25-210-50.
2. On May 28, 2021, as requested by DEQ, representatives of NVBC submitted a proposed corrective action plan (CAP) to DEQ for review. DEQ staff provided comments on the proposed CAP on June 11, 2021, and representatives of NVBC

submitted a revised CAP to DEQ on June 17, 2021. DEQ approved the CAP via an email response date June 24, 2021.

The CAP proposed to remove the fill from impacted wetland areas and to restore and monitor those areas. The CAP identified a total of 0.53 acre of wetland impacts based on field survey measurements, a change from DEQ's original estimate of 0.87 acre. No corrective actions were deemed necessary for the impacts to 135 linear feet of stream channel, as it was observed that the impacts had been temporary in nature and the stream and soils restored naturally.

3. The October 2021 Order required the CAP, including monitoring of restored areas, reporting of restoration monitoring to DEQ, and the purchase of any applicable compensatory mitigation credits to be completed no later than December 31, 2023.
4. Representatives of NVBC notified DEQ staff of delays in implementing the Plan agreed to under the Order several times after the Order was executed in October 2021. It was stated that the delays were related to the locality grading permit process through Prince William County, which NVBC was required to obtain to perform the fill removal and surface water restoration work under the Plan. On November 4, 2022, DEQ received a request to modify the corrective action schedule under the Order, including the allowance of an extension of the final compliance deadline.
5. On December 7, 2022, DEQ received a request to modify select aspects of the CAP agreed to under the October 2021 Order, and DEQ sent an email reply to representatives of NVBC on December 13, 2022, accepting the proposed CAP changes.
6. In order for NVBC to return to compliance, DEQ staff and NVBC have agreed to a revised Schedule of Compliance, which is incorporated as Appendix A of this Amendment.

SECTION C: Agreement and Order

Accordingly, by virtue of the authority granted it in Va. Code §§ 62.1-44.15, the Department orders NVBC, and NVBC agrees to perform the actions described in Appendix A of this Amendment, which alters the completion schedule for corrective actions agreed to in Appendix A of the Order. Both the Department and NVBC understand and agree that this Amendment does not alter, modify or amend any other provision of the Order and that the unmodified provisions of the Order remain in effect by their own terms.

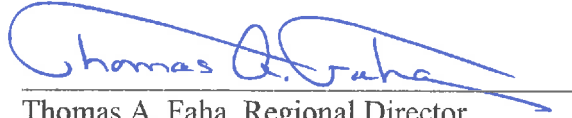
And it is so ORDERED this 31st day of March, 2023.

Amendment to Consent Order

Northern Virginia Baptist Center; Unpermitted Activity Virginia Water Protection Program Non-Permit

Tracking No. 19-000758


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Thomas A. Faha, Regional Director
Department of Environmental Quality

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Northern Virginia Baptist Center voluntarily agrees to the issuance of this Amendment of an Order by Consent.

Date: 1-25-2023 By: 
Northern Virginia Baptist Center

Amanda Sue Curtis 1/25/2023



APPENDIX A SCHEDULE OF COMPLIANCE

The Northern Virginia Baptist Center shall:

1. Comply with the terms of the DEQ-approved Corrective Action Plan (CAP) dated May 28, 2021, revised June 2021 and December 2022.
2. Unless approved by DEQ in writing at a later date, all items required by the CAP, including monitoring of restored areas, reporting of restoration monitoring to DEQ, and the purchase of any applicable compensatory mitigation credits if required in accordance with the CAP, are to be completed no later than October 31, 2025.
3. Unless otherwise specified in this Order, NVBC shall submit all requirements of Appendix A of this Order to:

Virginia Department of Environmental Quality
Northern Regional Office
Attention: Enforcement
13901 Crown Court
Woodbridge, VA 22193